

AMENDED IN SENATE MARCH 23, 2009

SENATE BILL

No. 48

Introduced by Senator Alquist

January 12, 2009

~~An act relating to college textbooks.~~ *An act to add Section 66410 to the Education Code, relating to college textbooks.*

LEGISLATIVE COUNSEL'S DIGEST

SB 48, as amended, Alquist. College textbooks: ~~affordability and online textbooks.~~ *electronic versions.*

Existing law establishes the various segments of the public higher education system in the state. These segments include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges.

~~Existing law urges textbook publishers to take specified actions aimed at reducing the amounts that students pay for textbooks. Existing law requires the Trustees of the California State University and the Board of Governors of the California Community Colleges, and requests the Regents of the University of California, among other things, to work with the academic senates of each respective segment to encourage faculty to give consideration to the least costly practices in assigning textbooks, to encourage faculty to disclose to students how new editions of textbooks are different from previous editions and the cost to students for textbooks selected, to review procedures for faculty to inform college and university bookstores of textbook selections, and to encourage faculty to work closely with publishers and college and university~~

~~bookstores in creating bundles and packages that are economically sound and deliver cost savings to students.~~

~~Existing law expresses the intent of the Legislature to encourage private colleges and universities to work with their respective academic senates, and to encourage faculty to consider practices in selecting textbooks that will result in the lowest costs to students.~~

~~Existing law requires textbook publishers, for textbooks published on or after January 1, 2010, to print a summary of the substantive content differences between the new edition and any prior addition on, or within, the cover of the textbook, as well as the copyright date of the previous edition.~~

~~Existing law prohibits those responsible for choosing course materials and adopting textbooks at an institution of higher education from demanding or receiving anything of value for adopting specific course materials required for coursework instruction.~~

~~This bill would express the intent of the Legislature to enact legislation relating to the affordability of college textbooks and the promotion and use of online textbooks.~~

Existing law requires publishers of instructional material for use at public institutions of postsecondary education to make instructional material available in electronic form in a format that is compatible with commonly used braille translation and speech synthesis software upon the written request of a campus of a university or college when required for the use of students who are disabled.

This bill would require that publishers of textbooks offered for sale at a public postsecondary institution of education make the textbooks available in an electronic format by January 1, 2020. The bill would require that electronic versions of textbooks include the same content as the printed versions and would allow the electronic versions to be copy-protected. The bill would prohibit charging a higher amount for an electronic version than is charged for the printed version.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 66410 is added to the Education Code,
- 2 to read:
- 3 66410. (a) No later than January 1, 2020, any individual, firm,
- 4 partnership, or corporation that publishes textbooks offered for

1 sale at the University of California, the California State University,
2 or the California Community Colleges, shall make the textbooks
3 available for sale in an electronic format. The price at which the
4 electronic version of the textbook is made available shall not be
5 greater than the price charged for the printed version. The
6 electronic version of any textbook shall contain the same content
7 as the printed version and may be copy-protected.

8 (b) For purposes of this section, “textbook” means a book, not
9 including a novel, that contains printed material and is intended
10 for use as a source of study material for a class or group of
11 students, a copy of which is expected to be available for the use
12 of each of the students in that class or group.

13 (c) This section does not authorize any use of instructional
14 materials that would constitute an infringement of copyright under
15 the Copyright Revision Act of 1976, as amended (17 U.S.C. Sec.
16 101 et seq.).

17 ~~SECTION 1. It is the intent of the Legislature to enact~~
18 ~~legislation relating to the affordability of college textbooks and~~
19 ~~the promotion and use of online textbooks.~~